

Amendment

Reissue Appln. 09/909,430 (USP 5,924,398)

**REMARKS**

**Summary**

Applicant thanks the Examiner for his careful consideration of the subject application. The Examiner has indicated the allowability of claims 1-21, 25-30, 33-38, 42-50, 52-55, 57, 58, 60, and 61. Further, the Examiner has indicated the allowability of claims 23 and 24 if re-written in independent form. Applicant has re-written claims 23 and 24 in independent form and thus submit that they are in condition for allowance.

**Prior Art Rejections**

Regarding the remaining pending claims, Claims 22, 31, 32, 39, 40, 41 and 51 are rejected under 35 U.S.C. §102(e) as being anticipated by Morota *et al.* (U.S. Patent 5,809,961). Claims 56, 59, and 62-66 are rejected under 35 U.S.C. §103(a) as obvious over Morota '961 in view of Schulte *et al.* (U.S. Patent 5,341,773).

The rejections rely on Morota *et al.* (U.S. 5,809,961) as prior art under 35 U.S.C. §102(e). See page 2 of paper #3. However, Applicant respectfully submits that Morota *et al.* is not prior art under §102(e). In particular, the present application claims priority to what are now U.S. Patents 5,758,614 and 5,722,357, both of which were filed in the United States on May 1, 1997.

The Examiner has already acknowledged Applicant's claim to priority under 35 U.S.C. §120 as indicated in paper #3. Morota *et al.*, however, was filed in the United States on May 9, 1997, which is *after* Applicant's effective US filing date. As such, Morota *et al.* does not fall under §102(e).

Withdrawal of the rejections based on Morota *et al.* is respectfully requested.

**Newly-Submitted Claims**

Applicant submits that newly-presented Claims 69-84 are allowable over the prior art of record. Entry and allowance are respectfully requested.

**Surrender of Original Patent**

In response to the Examiner's indication (page 3, paragraph 4) that the original patent must be received before the reissue application can be allowed, Applicant acknowledges the

## Amendment

Reissue Appln. 09/909,430 (USP 5,924,398)

Examiner's statement, and will surrender the original letters patent upon allowance of the remaining claims, including the claims newly presented herein.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge any fees or credits in connection with the present Amendment to Deposit Account 06-1510 (Ford Global Technologies, Inc.).

Respectfully submitted,



ALLAN J. LIPPA  
Registration No. 32,258  
Attorney for Applicant

FORD GLOBAL TECHNOLOGIES, INC.  
Parklane Towers East, Suite 600  
One Park Lane Boulevard  
Dearborn, MI 48126  
Telephone: 313-594-1145  
Facsimile: 313-322-7162

Date: September 18, 2002